

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

A. D. ARMSTRONG,

Petitioner,

Case No. 3:06-cv-219

-vs-

Chief Magistrate Judge Michael R. Merz

WARDEN, Lebanon Correctional
Institution,

Respondent.

ORDER TO FILE AMENDED PETITION

This habeas corpus case is before the Court for initial review pursuant to Rule 4 of the Rules Governing §2254 Cases. Mr. Armstrong has filed a one-page letter in which he claims that he is actually innocent of the crime for which he has been confined in the custody of the Respondent. However, much of the information the Court needs to decide the case is not included in the letter. For example, the Court needs to know what stage the case is at in the state court system (has it been appealed, etc.) The Court needs to know what Common Pleas Court made the conviction, what the conviction is for, etc.

All of the information the Court needs, at least initially, is included in the standard form habeas corpus petition. Rule 2(d) of the Rules Governing § 2254 Cases requires that that form be used.

It is therefore ordered:

1. The Clerk shall furnish the Petitioner with a standard form for habeas corpus petition.

2. Petitioner shall complete that form and return it to the Court immediately.

Petitioner has already been granted leave to proceed ifp.

July 19, 2006.

s/ Michael R. Merz
Chief United States Magistrate Judge

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